

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

MICROSOFT CORPORATION,

Plaintiff,

v.

ALCATEL BUSINESS SYSTEMS and  
GENESYS TELECOMMUNICATIONS  
LABORATORIES, INC.,

Defendants.

C.A. No. 07-90-SLR

**DECLARATION OF THOMAS L. HALKOWSKI  
IN SUPPORT OF PLAINTIFF MICROSOFT CORPORATION'S  
OPPOSITION TO DEFENDANT ALCATEL BUSINESS SYSTEMS' MOTION TO  
DISQUALIFY FISH & RICHARDSON P.C., AND FOR OTHER SANCTIONS**

I, Thomas L. Halkowski, declare as follows:

1. I am a Principal of Fish & Richardson P.C., counsel of record in this action for Microsoft Corporation. I am a member of the Bar of the State of Delaware and of this Court. I have personal knowledge of the matters stated in this declaration and would testify truthfully to them if called upon to do so.

2. Attached hereto as Exhibit 1 is a true and correct copy of Complainant Microsoft Corporation's First Set of Requests for the Production of Documents and Things (Nos. 1-62) to Respondent Alcatel-Lucent dated March 26, 2007;

3. Attached hereto as Exhibit 2 is a true and correct copy of a letter from David A. Nelson to Joseph V. Colaianne dated April 13, 2007;

4. Attached hereto as Exhibit 3 is a true and correct copy of Respondent's Objections and Responses to Complainant Microsoft Corporation's First Set of Requests for Production of Documents and Things (Nos. 1-62) dated April 23, 2007;

5. Attached hereto as Exhibit 4 is a true and correct copy of a letter from Alliance to Miercom dated April 20, 2007;

6. Attached hereto as Exhibit 5 is a true and correct copy of a picture of a sign;

7. Attached hereto as Exhibit 6 is a true and correct copy of Rama G. Elluru's business card;

8. Attached hereto as Exhibit 7 is a true and correct copy of the Declaration of Rama G. Elluru;

9. Attached hereto as Exhibit 8 is a true and correct copy of the Declaration of Joshua Pond;

10. Attached hereto as Exhibit 9 is a true and correct copy of the Declaration of Ahmed J. Davis;

11. Attached hereto as Exhibit 10 is a true and correct copy of the Declaration of Professor Bruce A. Green; and

12. Attached hereto as Exhibit 11 is a true and correct copy of the Declaration of W. William Hodes.

I declare under penalty of perjury that the foregoing is true and correct.

Dated: September 17, 2007

/s/ Thomas L. Halkowski  
Thomas L. Halkowski

**CERTIFICATE OF SERVICE**

I hereby certify that on this 17<sup>th</sup> day of September 2007, I electronically filed the attached **DECLARATION OF THOMAS L. HALKOWSKI IN SUPPORT OF PLAINTIFF MICROSOFT CORPORATION'S OPPOSITION TO DEFENDANT ALCATEL BUSINESS SYSTEMS' MOTION TO DISQUALIFY FISH & RICHARDSON P.C., AND FOR OTHER SANCTIONS** with the Clerk of Court using CM/ECF which will send electronic notification of such filing to the following Delaware counsel. In addition, the filing will also be sent via hand delivery:

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Laboratories, Inc.*

I also certify that the document was served on the following via electronic mail:

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/s/ Thomas L. Halkowski  
Thomas L. Halkowski